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SUBJECT: SENATOR FEINGOLD DISCUSSES NORTHERN UGANDAN ISSUES

¶1. (SBU) Summary: Senator Russell Feingold met with a wide range of government officials, local and religious leaders, military officers, internally-displaced persons, UN officials and international donors to discuss the current situation in northern Uganda during his visit from August 26 to 30. Feingold traveled to Gulu and observed the improved security situation in northern Uganda. His visit coincided with nationwide consultations to develop the mechanism for justice, accountability, and reconciliation. End Summary.

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MILITARY OFFICIALS: KEEP PRESSURE ON KHARTOUM AND LRA
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¶2. (SBU) On August 27, Senator Feingold met with Minister of Defense Crispus Kiyonga and Lt. Gen. Katumba Wamala. Feingold described the level of military cooperation between the United States and Uganda as excellent. He asked Kiyonga about the U.S. role in the region. Kiyonga said that Uganda was concerned that the Khartoum Government was re-supplying the Lord's Resistance Army (LRA). He stated that the U.S. helped in the past by discussing supply of the LRA with Khartoum. Kiyonga said that the U.S. could be tougher with Khartoum on the issue again. Lt. Gen. Wamala explained that the Ugandan Peoples Defense Force (UPDF) was unable to apprehend the LRA leaders because they received protection from Khartoum which assisted their movement into Garamba National Park to avoid UPDF deployment in southern Sudan. Kiyonga also told Feingold that the LRA should not be removed from the Terrorist Exclusion List until it demonstrated results in the form of a signed peace agreement. Once the LRA stops re-arming and disarms, then various carrots should be considered such as the LRA's removal from terrorism lists and the dropping of the International Criminal Court warrants. Kiyonga told Feingold that if the talks fail, the LRA should "attract the wrath of the ICC." He added that there was a "three state" arrangement for dealing with the LRA should Kony fail to cooperate.

¶3. (SBU) Feingold asked about allegations that the conduct of UPDF soldiers in internally-displaced persons camps, or in restricting movement. Feingold was told that there may be "some degree" of abuses and Lt. Gen. Wamala said that the Ministry of Defense would act on any specific information about abuse of civilians. He acknowledged that the conditions in IDP camps resulted in many civilian deaths. Wamala said that the UPDF was receiving training and lectures on human rights from international and domestic organizations. The UPDF's taking of "immediate action" against soldiers accused of human rights allegations was now being challenged in courts for being too harsh. He also explained that some 40,000 auxiliary forces, known as local defense units (LDU), had been recruited to serve alongside the UPDF to provide security. Ten thousand LDU members were being kept mobilized until the Juba Peace Talks play out. The rest of these forces were being recruited into the police or demobilized. Kiyonga told Senator Feingold that

the military was stepping back from handling law enforcement. However, with the return of IDPs to or near their homes, the demand for police continues to expand. Police units were being reestablished, judges were "circuit-riding" to relieve the massive backlog of cases in the north, and the Ministry of Justice was training more magistrates.

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GOU NEGOTIATOR: PHYSICAL PEACE BUT NOT PEACE OF MIND
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¶4. (SBU) Minister of State for International Relations, Henry Okello Oryem, Deputy Leader of the GOU negotiating team and a northerner from Kitgum said that the peace process had surpassed Uganda's expectations. The LRA has left northern Uganda and there have been no LRA attacks. The LDUs have become redundant, night commuter centers are being closed, and IDPs are returning to or near their homes in Lira, Teso, and eastern Kitgum. Oryem described the situation as one of physical peace, but not peace of mind or heart. Northerners want the reassurance of a signed peace agreement. Returnees were facing challenges such as the lack of services in return areas and the inability of camp populations to till land due to a lack of experience.

¶5. (SBU) The three categories of LRA members require different accountability. Oryem said that for the GOU, a local reconciliation mechanism, such as mato oput, was not enough for the LRA leaders. The GOU advocates that Kony, Otti, and the other indictees be tried under Ugandan law and undergo some form of local reconciliation. He claimed that Kony and Otti realized that they must face a national prosecution in order to avoid the ICC. The problem was that Kony and Otti have not determined the modalities or guarantees that they would need to turn themselves over to the GOU. Non-indicted commanders and fighters would likely be subjected to local

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reconciliation mechanisms. Oryem said that it would be unfair to try the women and children who were abducted and forced to fight.

¶6. (SBU) Oryem told Feingold the GOU has let the LRA lead the process to ensure that it is satisfied, even though it means tolerating discussion of absurd issues. The GOU has largely acquiesced to the LRA but was tough on issues such as power-sharing because the LRA does not represent the people of northern Uganda. For example, the GOU agreed to restock northern Uganda's decimated livestock population, investigate allegations against the UPDF, and include issues of human rights and good governance under the Comprehensive Solutions part of the agreement. Both the LRA and the GOU will produce reports summarizing the consultations regarding accountability and present them when the talks resume in October.

¶7. (SBU) Senator Feingold asked how the Government of Southern Sudan mediator and U.N. Special Envoy Chissano were performing. Oryem said that Chissano's influence was positive because he was balanced and brought relevant experience to bear to overcome LRA suspicions about the process. Initially, the GOU was concerned about GOSS Vice President Riek Machar's agenda and focus. Machar is not impartial but they have a big stake in the peace process because of the LRA atrocities in southern Sudan.

¶8. (SBU) Uganda continues a dialogue with the Democratic Republic of Congo regarding the continued presence of the LRA at Garamba National Park. Oryem also told Feingold that the DRC would not want the UPDF to go into Garamba Park to catch LRA. Oryem stated that President Kabila was misinformed and needed to discuss the issue outside of Kinshasa. President Museveni would be meeting Kabila in Tanzania on the LRA and border issues. (Note: The meeting is scheduled for September 7, in Arusha.)

¶9. (SBU) When asked by Senator Feingold about the U.S. role, Oryem replied that the GOU welcomed U.S. interventions that were low-profile. Uganda fears a more public U.S. role because it would overshadow the talks and "incense" Khartoum and the Arab League. Oryem stated that funding for parts of the process, intelligence sharing, and logistical assistance, were areas where the U.S. could play a helpful role. Oryem noted that the US could be a "looming

presence" and that while this should be an African solution it should have strong "international support." Oryem added that continued pressure on the LRA would be useful and that the GOU does not want the ICC warrants lifted until a final peace deal was concluded and implemented.

LOCAL GOVERNMENT, RELIGIOUS LEADERS, IDPs

¶10. (SBU) Senator Feingold traveled to Gulu and met with local elected, traditional, and religious leaders, as well as internally-displaced person (IDPs) at Ongako camp. He first held a roundtable discussion with Macmot Kitara, the Deputy Local District Chairman, Walter Ochora, the Resident District Commissioner, a representative of Paramount Chief Rivot Acana, and Karima Obina and Reverend Godfrey Luwom of the Acholi Religious Leaders Peace Initiative. The participants welcomed increased U.S. engagement in northern Uganda, which they felt was important to keeping the negotiating parties on track. They raised concerns about the LRA's delaying tactics and the composition of the LRA's diaspora-based delegation at Juba. The lack of women representatives at the negotiations was another concern. The group noted that attention needs to be paid to both Khartoum and Congo, which have influence over the situation.

¶11. (SBU) The local leaders agreed that the ICC indictments added a new level of seriousness to the peace process, a view not shared by the IDPs. The IDPs expressed concerns that the ICC could still be an impediment to the peace process. Macmot pointed out that the ICC only has jurisdiction over crimes committed since 2000 and would not cover massacres, such as that at Atiak. There was initial enthusiasm for the ICC because northerners thought the ICC would come to Uganda and apprehend the LRA leaders. When this did not happen, skepticism set in that the ICC could not resolve the problem on its own. Local leaders were supportive of amnesty for the LRA as long as it did not promote impunity. Most of the northerners believed that a reconciliation process needed to be national in nature. Senator Feingold encouraged participants to view the ICC as being effective as long as it did not prevent the successful conclusion of the peace process. The local leaders told Feingold that the current peace process has integrity and that the facilitators and observers were important factors in the negotiations.

¶12. (SBU) The IDPs requested a reconstruction package similar to the one implemented in southern Sudan after the Comprehensive Peace

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Agreement was signed in 2005. Other requests included supporting IDPs and returning ex-combatants at an equitable level. There was fear that the ex-combatants would have access to more benefits through formal disarmament, demobilization, rehabilitation, and re-integration processes than their victims in the IDP camps. The local leaders and the IDPs said that reintegration and compensation packages should go to affected communities, not individuals. The local leaders emphasized the importance of rehabilitating livelihoods. Specific needs identified by local leaders and IDPs included civilian policing, roads, and health, and education infrastructure and personnel. Local leaders felt strongly that the GOU must take ownership of the return process and that civilian rule, local governance structures and the rule of law in general needed to be substantially upgraded. When Senator Feingold asked whether the IDPs preferred the UPDF or civilian police for security, there was unanimous support for the civilian police.

INTERNATIONAL DONORS: DIVISION OF LABOR ON LRA ISSUES

¶13. (SBU) Senator Feingold met with representatives of the U.K., Norway, The Netherlands, Canada, and Ireland on August 29. Feingold was interested in their views on the peace process, the ICC, and the role the U.S. should play. The Netherlands Charge suggested that the U.S. has a comparative advantage over European missions because it can influence President Museveni when needed and has the ability

to collect intelligence on the ground situation. The U.K. High Commissioner, Francois Gordon, said that those countries that signed the Rome Statute could not make judgments on the proposed solutions or mechanisms developed by the parties to deal with accountability. He noted that a suspension of the warrants by the U.N. Security Council would be a palatable option for Kony, who does not trust the ICC, but understands the role of the UNSC. The Norwegian Ambassador described Norway's support for the ICC, but debate within the Norwegian ministries over peace and justice issues. The U.K. supported keeping the LRA on the U.S. Terrorist Exclusion List (TEL) because it keeps pressure on them to sign a peace deal. The TEL gives the U.S. the means to go after those in the diaspora that were supporting the LRA. The U.K. does not have an equivalent mechanism. Norway withdrew its support for the European Union terrorist list, which deals with money transfers and immigration issues, so that it could have more flexibility in talking to groups like the LRA. There is a division of labor on the LRA issues that appears to have emerged within the international community.

¶14. (SBU) Later the same day, representatives from Ireland and Canada explained the origins of the Juba Initiative Fund (JIF) and the division of labor that has emerged between donors there. Aine Hearns, Ireland's High Commissioner said that the JIF has been used to pay the operational expenses of the GOSS Secretariat, and allowances, hotels, airfares, and per diems for the LRA. The initial fund experienced significant problems, including mismanagement, but the donors have now engaged KPMG to handle the finances. She also said that the JIF donors do not work directly with the LRA but through Machar. In her view, the longer there was no fighting, the more difficult it would be for the LRA to return to war. Canadian consul Bryan Burton said that donor plans for the post-agreement phase needed to be looked at more closely. National reconciliation would be needed and was not being addressed at this point. Aine Hearns said that the U.S. has been fully supportive and engaged on the process. Feingold asked how the newly appointed Senior Advisor for Conflict Areas could be utilized. Aine Hearns stated that currently, coordination by donors in Kampala was excellent and that sharing of information and labor have become critical in order to not send any mixed messages to the parties. She stressed the importance of continued, close coordination.

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COMMENT
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¶15. (SBU) Throughout his visit, Senator Feingold emphasized the U.S. Government's commitment to the peace process and reconstruction of northern Uganda. He saw firsthand the challenges ahead: the deployment of civilian police to replace the military; the wide range of opinions on justice, accountability, and reconciliation; and the infrastructural and resource needs for returning populations. Reporting on his meeting with President Museveni follows in septel.

¶16. (U) Senator Feingold cleared this message.
BROWNING